



petitioner] and not attributable to him.” *Id.* at \*6. Thus, Leonor has satisfied the second element for equitable tolling. However, Leonor must also “establish that he has been pursuing his rights diligently but was lulled into inaction, justifying equitable tolling of the AEDPA statute of limitations.” *Id.* at \*7. The record before the court is silent on this issue and further briefing regarding equitable tolling is therefore necessary to resolve the issue.

IT IS THEREFORE ORDERED that:

1. Petitioner shall have until May 15, 2008 in which to file a brief regarding equitable tolling. In particular, Petitioner shall inform the court regarding the diligence with which he has pursued his habeas corpus Petition and whether he was “lulled into inaction.”

2. Respondent shall then have 30 days in which to file a response to Petitioner’s brief regarding equitable tolling.

3. The Clerk of the court is directed to set a pro se case management deadline in this case with the following text: June 15, 2008: Briefing on *Riddle* question complete.

April 15, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge